

MARTIN L. STERN
DIRECT DIAL: (202) 661-3700

September 25, 2008

BY HAND

Ms. Marlene Dortch
Office of the Secretary
Federal Communications Commission
445 12th Street, S.W.
Washington, D.C. 20554

Re: *Assessment and Collection of Regulatory Fees for Fiscal Year 2008,
MD Docket No. 08-65 —Notice of Ex Parte Presentation*

Dear Ms. Dortch:

Pursuant to Section 1.1206 of the Commission's rules, 47 C.F.R. § 1.1206, Pacific Crossing Limited and PC Landing Corp. ("PCL"), by its undersigned counsel, hereby files this *ex parte* notice in the above-captioned proceeding.

At the meeting on September 23, 2008 with Charles Mathias, advisor to Chairman Kevin Martin, to discuss the Industry Consensus Proposal ("Consensus Proposal") for reform of international bearer circuit ("IBC") fees, which was the subject of the September 24, 2008 *ex parte* notice filed in the referenced docket by Kent Bressie of Harris, Wiltshire & Grannis, I indicated that PCL fully supports adoption of the Consensus Proposal.

I also noted that PCL has been discussing its view with other proponents of the Consensus Proposal that the new proposal may disproportionately burden those submarine cable operators, such as PCL, that do not have international Section 214 operations, as well as those operators that have relatively smaller international Section 214 operations. In particular, PCL believes that the Commission should adopt the Consensus Proposal as a baseline in the instant rulemaking proceeding, and further examine in the Further Notice of Proposed Rulemaking in the captioned docket, or in next year's regulatory fee proceeding, whether some portion of the per system fee should be directly allocated to international Section 214 holders, and other potential methodologies for directly allocating a portion of the regulatory fee burden to international common carriers.

That being said, PCL also stressed that it would certainly not want that issue to hold up adoption of the Consensus Proposal now, and is happy to join the Consensus Proposal with that point in mind.

